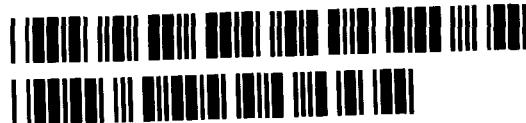


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10-CV-01683-ORD

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6 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 TIMOTHY MITCHELL,

8 Petitioner,

9 v.

10 UNITED STATES OF AMERICA,

11 Respondent.

Case No. C10-1683-JLR
CR08-213-JLR

12 ORDER OF DISMISSAL

13 The Court, after careful consideration of petitioner's 28 U.S.C. § 2255 motion for writ
 14 of habeas corpus, the Report and Recommendation of the Honorable James P. Donohue, the
 15 governing authorities and the balance of the record, does hereby find and ORDER:
 Petitioner's Objections to the Report (Dkt 22)

- 16 (1) The Court adopts the Report and Recommendation.
- 17 (2) Petitioner's § 2255 motion is DENIED and this case is DISMISSED with
prejudice.
- 18 (3) A certificate of appealability is DENIED with respect to the ineffective
assistance of counsel claims asserted by petitioner in his § 2255 motion.
- 19 (4) The Clerk is directed to send copies of this Order to petitioner, counsel for
respondent, and Judge Donohue.

23 DATED this 13th day of September, 2011.

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JAMES L. ROBART
United States District Judge